

REMARKS

This amendment is presented for the purpose of placing the Claims in better form for consideration on appeal, as is permitted pursuant to 37 C.F.R. §§ 1.116(a)(2) and 41.33(a).

Upon review of the application in association with a pending appeal, it has been recognized that during prosecution, a misnumbering of the claims has inadvertently occurred and been carried forward to the Final Office Action dated November 16, 2004, which is currently the subject of appeal. In particular, the application was originally filed with claims 1-197, and during prosecution the claim numbering became inadvertently truncated to erroneously refer only to claims 1-147. When claims 45-147 were cancelled in a Reply filed April 28, 2005 in response to an Office Action dated October 22, 2005, the original claims 148-197 were inadvertently dropped from the claim listing. In a Reply filed August 10, 2004 to an Office Action dated April 5, 2004, two new claims were added depending from Claim 1, and those two new claims were designated as 148 and 149 based on the noted erroneous claim listing, even though they should properly have been designated as 198 and 199 based on the original claim numbering. The claim numbering on these new claims has been carried through examination to and including the Final Office Action dated November 16, 2005, which is now the subject of appeal, with an effect that the new subject matter of Claims 148 and 149 has replaced the subject matter originally stated in Claims 148 and 149 as filed. Original Claims 150-197, however, are still pending in the application, which are being cancelled with the amendment submitted herewith.

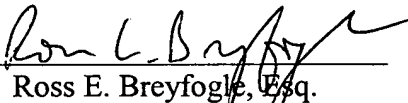
Applic. No. 09/888,235  
Amendment After Appeal & Before Appeal Brief

With entry of the amendment herewith, it is believed that the listing of the claims submitted herewith accurately reflects the subject matter of the claims as subject to the final rejection from which appeal is taken.

No fees are believed to be due with this communication. If any fees are due with this communication, however, please debit such fees to Deposit Account 50-1419. Credit any overpayments to Deposit Account 50-1419.

Respectfully submitted,

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